20c • MARCH 15, 1954

Stevenson on Ike and Joe

New Republic

CONTROLLING McCARTHY

The President Has Declined— Will Congress Take on the Job?

DETROIT: MORE PLANTS — FEWER JOBS

A Report on the Auto Industry, Its Markets and Its Workers

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T. R. B. *Washington Wire*

Ike turned the other cheek last week, and Joe slugged it. The issue became not whether the Army coddles Communism but whether Ike coddles McCarthyism. Personally we thought last week cleared the air a whole lot.

It showed Ike once more unwilling to tangle with Joe. But it also showed Joe willing to tangle with Ike—something that seemed to astonish and shock many. Joe's tone was arrogantly condescending. It showed something else: it drew the veil off the real struggle. Now it is evident that this is no mere quarrel over methods to combat Communism; it is a naked struggle for power and control over the Republican Party. Again this seemed to surprise many; they hadn't believed McCarthy meant it when he told the nation on the radio that the issue in November was to be support for him—not the Eisenhower program.

The week did another thing. We have argued from the first that the real responsibility in all this rests on Eisenhower. Until now most people have hated to admit it. What is happening now is that independents and liberals are quietly moving out of Ike's camp. And he simply must have their support. The Alsop brothers register disgust. The *Washington Post* regretfully recalls that it thought Ike's election would end McCarthyism. Will somebody page Walter Lippmann? The *New York Times* pleads for Ike to show "moral courage." (We called it "moral cowardice" last week.) Eric Sevareid, March 3, said, "Once again he [Eisenhower] has treated a direct McCarthy challenge to his Administration as merely an incident, to be smoothed over with a reproving but kindly word to all sides concerned. . . . This affair is not an incident. . . . " Evidence like this could be multiplied: One of the most astonishing things we ever saw was the sudden extraordinary ovation given Army Secretary Stevens at the off-the-record White House Correspondents' Association which Ike attended March 6: The sophisticated crowd stood, stomped and cheered when Stevens was unexpectedly introduced. "Not much of a hero," people seemed to be saying, "but—" and then they looked at Ike.

Finally last week Adlai Stevenson at Miami Beach made a frontal attack on Eisenhower by name and wrote a new chapter to post-election politics by attributing personal responsibility to him for appeasing McCarthyism. It was a bold thing to do. Democratic Senators like Minority Leader Lyndon Johnson are just as unwilling to attack McCarthy as Ike is. There was no witticism or flippancy in the Stevenson speech. He talked like a man burning with moral disgust. He said what many hated to admit, but that had to be said. And so —at long last—the issue is joined.

Where Wall Street gets the good news that keeps the stock market advancing we don't know. Not from Washington. We have a perfectly open mind on the course of this recession, and we can report that high government economists are just as uncertain at the present time as we are whether it will get worse or better. Already the recession is deeper than 1948-49, with which it is frequently compared. Ike made a blunder at a press conference last month when he set March as the trigger-month of decision, and the nation's unemployment figure as the guiding signal. Almost certainly Ike must eat his words, because March is almost certainly too early to judge. It was an honest but unnecessary mistake, and it could damage public confidence. Prophets and Presidents should never set a specific time limit on predictions.

During the Panmunjom negotiations, when Arthur Dean was the spokesman for all the Western world, China Lobbyist Alfred Kohlberg sent Dean a pair of rubber gloves "in order that you may put them on your bloodstained hands." Under the fiction of "resignation," Dulles has now fired Dean as a sacrifice to the Formosa Firsters. The fact is, Dulles himself looks like the next target of Senators McCarthy, Knowland and the China Lobby. The sacrifice of Dean is tragic, but it appears that Dulles will make a fight for it on the bigger issue and is clearing decks for action. He has removed personnel direction from the hands of McCarthy's friend Scott McLeod (though keeping McLeod on in a lesser role) and picked as field commander of State Department administration vigorous young ex-Rep. Thruston Morton (R, Ky.). The attack on Dulles seems only a question of time since he's following Acheson policies. His danger: that he will become captive of the irreconcilables as Acheson was. Very shortly now Dulles must rule in the reopened case of career diplomat John Paton Davies Jr., assailed by McCarthy after surviving eight security loyalty clearances with the endorsement of Under-Secretary of State Gen. Bedell Smith, former head of Central Intelligence.

A weekly magazine called *Time*, which was saying a few months back that McCarthy was just a figment of left-wing journalism, now stoutly attacks him itself; GOP newspapers, rising to Ike's defense, say they've been against Joe all along. We had got so tired ringing the alarm bell without response all these years that we were beginning to think maybe the editors didn't care. We can't tell you how nice it is to know that the great American one-party press was with us the whole time!

Notes: This lonely column still hopes that Hawaii and Alaska get self-governing commonwealth status, not statehood; that the flexible British system of decentralizing will be followed for the American world rather than one of centralizing everything in Washington. . . . Ike's legislative program is badly bogged; it's either jettison half of it or keep Congress here till Labor Day. . . . The House bill to recruit Mexican farm workers, with or without the Mexican government's consent, is an example of arrant economic imperialism wounding every feeling of national pride south of the border. . . . One funny aftermath of the Puerto Rican attack on the House is the legislators' sudden interest in dropping present patronage appointees as Capitol guards, and substituting professional cops; nothing helps reform like a pistol shot. . . . Prices of durable goods are going to come down: Count on big sales in months ahead . . . also lower taxes, Congress will see to that.

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Noteworthy This Week

BEHIND THE HEADLINES

How Many Are Disloyal?

THE "numbers game" continues. The total of "security risks" separated from government has been given as 1,456; 2,200; 2,224; and now, 2,429. This figure will continue to change. But the question which has been asked since the first figure was announced by the White House has not and will not change: how many persons are out because there was a reasonable doubt of their loyalty to the US?

It's a simple question. Nothing in it requires the complicated, evasive answers which have come from the Administration—or would not if so many high-ranking Republicans had not tried to trick the public about the meaning of the "security risk" totals.

When first the question was asked, Philip Young, Chairman of the Civil Service Commission, said he was "not interested" in the answer and that the "average person" was not either. But despite this magic incantation, the question remained. And when Administration officials appeared before Congressional committees to support budget requests, Democratic members began to ask it often. There were many interesting revelations: of 534 security firings at the State Department, 11 were for doubtful loyalty, action on seven of which had been initiated by the Democratic Administration; 1,335 of the 2,429 had resigned and "the great bulk" of the remaining 1,074 had been removed under "ordinary Civil Service procedures," which simply means that most never knew they were considered security risks, had no chance to defend themselves in the "fair hearings" promised in the security programs, and were not labeled risks until *after* they were out. Also, it began to look as if a good many of these risks had been hired by the Republicans on a temporary basis until security checks could be made, then fired when "derogatory" information was found.

Finally, the Administration decided to sort the figures into four categories: subversives, perverts, those with criminal records and unreliables.

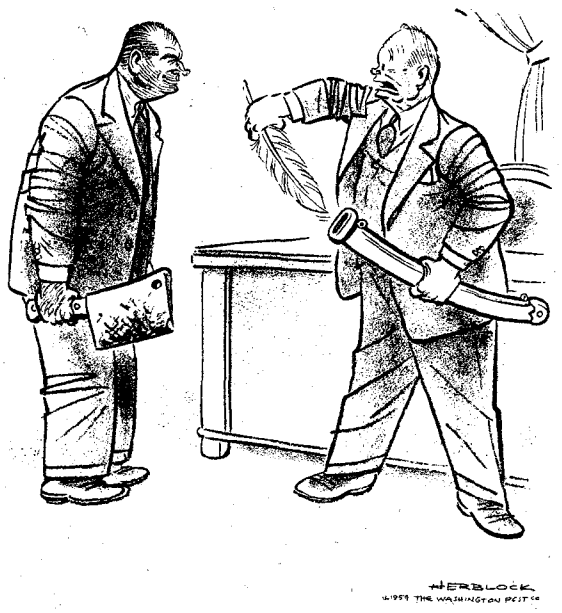
But Young's letter to department and agency heads directed them to list as subversives those "whose files contain information indicating, in varying degrees, subversive activities, subversive associations or membership in subversive organizations." What are "subversive associations?" What organizations are considered subversive? How far can "varying degrees" vary? With this catch-all category which may well have included citizens who registered with the American Labor Party when it was led by Sidney Hillman, Young gathered a total of 422 "subversives."

Then he admitted to members of the House Post Office and Civil Service Committee that:

He did not know to what extent the information in the files of the 422 had been evaluated; if separation had been made on the basis of that information; if any are under prosecution by the Justice Department—as they should be if there is evidence and that the figure "does not represent 422 individual separations . . . for Communist or subversive reasons."

"There is no figure," said Young, "which indicates the number of disloyal persons."

Young's next appearance will be before the Senate Post Office and Civil Service Committee. Perhaps its members will be able to find some way to convince him that no matter how many statistical exercises he cares to indulge in, there is one question which he or the President or someone in the Administration must answer: How many of the risks have been separated because of doubt concerning their loyalty to the US? If they do not, Republican politicians will soon be talking about "400" or "500 Communists in government."



Have a care, sir

Hay for the Haystack

MCCARTHY has withdrawn his $2 million libel suit against former Sen. William Benton (D, Conn.). In 1952 Benton, waiving Congressional immunity, accused McCarthy of "fraud . . . deceit . . . perjury . . . deception of the Senate and . . . the American people."

McCarthy explained his retreat by saying that his lawyers had been unable to find anyone, anywhere in the US, who would say he believed Benson's charges. Consequently it was impossible to prove "damage."

Benton answered that McCarthy "refuses to face examination under courtroom conditions—I can understand why."

Then a prominent industrialist, Walter H. Wheeler of Connecticut, President of Pitney-Bowes, Inc., sent McCarthy a telegram. "Your lawyers could not have looked very hard," he said. "I would be glad to testify that I believe what Benton has said about you, and I am sure there are many millions of others in this country who would be happy to do likewise."

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Breaking the Tax Barrier

EARLY last month, the *New Republic* predicted that election-conscious Republicans in Congress would shatter the Administration's dream of a tidy $3 billion budget deficit with a series of tax-cuts, and that if the business slump continued into March, the President would have to modify his opposition to such cuts by April 1. They are, and he is.

The Republicans have been rewriting the tax laws. Typical of the results is a tax-relief for the 8 percent of American families owning stock—six-tenths of one percent of all American families own 80 percent of all publicly owned stock—which will cost the Treasury $850 million a year once it is in full effect. In contrast, increased tax-exempt allowances on medical expenses, child-care expenses, and income from annuities, for foster children, and for dependents earning over $600, total only $250 million.

This and other provisions favoring businessmen and investors reflect the Republican economic theory—closer to a faith—that prosperity will "sift down" from the top. That theory is difficult to explain to the voter.

So now that the Democrats, led by Sen. Walter F. George of Georgia, have offered a tax program that explains itself to the voter—increase in personal exemptions from $600 to $800 this year and to $1,000 next year—Republicans are frightened. They do not want to compete at the polls against a party which has given the average-size family an extra $1,000 of non-taxable income this year, and an extra $2,000 thereafter. The Democratic theory, also easier for voters to understand, is that since business already is overproducing in terms of market, the bulk of tax relief should go directly to the consumer—more "take home pay" means more demand for goods; increased production, jobs, profits and investment.

The Republicans hope to block the Democratic plan with a bill offered by Speaker of the House Joe Martin (R, Mass.) and Rep. Richard Simpson (R, Pa.). It would reduce excise taxes on telephone calls, telegrams, transportation, furs, jewelry, cameras, theatre tickets and most other taxed items, except liquor and tobacco, to 10 percent. While this bill is probably not as attractive to the voter as the George proposal, the Republicans hope to use the parliamentary rules of the House to block introduction of the Democratic plan until the excise cuts are passed. Then they can fight the George plan on the grounds that further tax reductions would be sheer fiscal irresponsibility and accuse the Democrats of politicking.

But this strategy does not take care of the Senate. There the rules are different, and when the Republican bill comes up George can offer his own substitution.

If he does, the Republicans will be in trouble. Although the Administration still is officially opposed to excise tax reductions, key law-makers have been given to understand that President Eisenhower and Treasury Secretary Humphrey will not fight very hard. And once the Martin bill passes the House, Republican strategists hope to clinch the fight with a radio-TV address by Eisenhower supporting it against the George plan. But if the Republican strategy fails in the Senate and the pressure of a slump continues, Eisenhower may have to reverse himself on income-tax reduction as he has on excise-tax cuts.

First Things First

LONG-TERM political objectives cannot be dissociated from day-to-day conduct in an emergency—that is the gist of the report of a British Parliamentary delegation just returned from Kenya.

The Mau Mau uprising has piled horror upon savagery. But it has a cause: land greed and arrogance on the part of some white settlers and apathy on the part of the British Government in curbing their excesses.

With the coming of terror the British Government insisted upon "first things first"—that the rebellion be crushed before anything be done toward erasing its causes. Many, both in and out of England, condemned that attitude as short-sighted and self-defeating folly, saying that only if reforms were begun while the terror was being put down would a lasting peace be achieved.

These critics have been upheld. The Parliamentary delegation — three conservatives and three Labor MP's — unanimously report that after 18 months of "emergency," the government has failed to rally the mass of the Kikuyu tribe to the side of law and order; instead, Mau Mau terrorism is spreading and for the first time there is a danger that it will infect other tribes.

The MPs accused the police of brutality and corruption and condemned the contempt of some of the white settlers for due process of law. And they insisted that efforts to end the terror will be seriously undercut by any further delay in advancing the social and political status of the natives.

Now that so many of the best African leaders have been murdered, political and social advancement will be harder.

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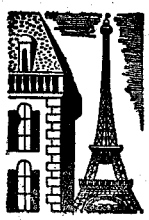
Paris Dispatch: A NEEDLE, AND SHARP

Anatole France once explained his country's democratic slogan, *"Liberté, Egalité, Fraternité,"* as meaning that the laws of the Republic gave freely and equally to all Frenchmen, rich and poor, millionaire and beggar alike, the brotherly right to sleep at night under the bridges of Paris. Several thousand men, women and young children took advantage nightly of this precious privilege during a recent period of about a fortnight. The effects—physical on the few thousand and psychological on perhaps a few million—are likely to influence the course of French political development for some months to come.

As it happened, the period was that of a bitter cold wave, the longest and most severe in living memory. Some of the sleepers didn't wake. Cold or hunger or both killed a number of old men and young babies in the shanty towns. A middle-aged woman was found frozen to death on the pavement of the Boulevard Sebastapol in the center of Paris, still clutching in her hand the eviction order that had made her homeless two days before.

The Communists of course shouted loudest. And no one—not even their worst enemies—contested the fact that they had been making political noises on the same subject longer and more consistently than any of the other parties or groups which professes to favor a social and economic New Deal. Housing reform has been a high note in the Communist propaganda refrain for years. So the Cold War, which by killing sleepers in the streets of Paris, wakened a large public to the urgency of the housing problem tended also to improve the position of the Communist members of the National Assembly in the domestic political Cold War. It hastened a process of change in their position—and in the attitude of other members toward them—which has been going on since the peasant agitation about wine prices and the workers' strikes for higher wages last summer.



The essence of the change is that the Communists are gradually escaping from the situation of isolation in parliament in which the other parties have kept them since the start of the international Cold War. Although the votes of the Communist members of the two houses of the legislature are not openly sought by the other parties, they are already accepted—or at least not rejected.

André Le Troquer, a Socialist, owes his election as President of the Assembly, the second most influential post in French political life, to the willingness of 116 members of parties other than the Socialist to join their votes with those of the Communists. Most of the 116 were Gaullists or Radical Socialists who found voting comradeship with Communists a lesser evil to the election of Le Troquer's opponent, an avowed and ardent supporter of ratification of the EDC. The Communists also controlled the elections of chairmen and vice-chairmen of a number of the most important committees of the Assembly. Systematically and skillfully raising the issue of the EDC, they divided parties which had previously been allies, helping the Gaullists and the anti-EDC Radical Socialists at the expense of the Popular Republicans and the pro-EDC Socialist faction.

For the first time in recent years it is now conceivable that the Communists may be allowed by the other parties, especially the Gaullists, to make—rather than to break—the power of a head of the government. The reason at the top of the political and economic hierarchy is plain—and also paradoxical. Many of the Gaullists and of the men of the far Right are so determined to kill the EDC, or at least to castrate it by removing its supra-national elements, that they are willing to join with the Communists in forming—or trying to form—a French Government that would be Left New Dealish in some domestic affairs.

There is also a reason at the bottom of the political and economic hierarchy. This is the effectiveness of the Communists in identifying themselves with the underdogs—workers in the factories and peasants in the wine regions as well as the homeless in the shanty towns. With a general election in prospect, their vote-winning tactics are of intense interest to the other parties.

The situation in parliament now is that the Communists stand a good chance of becoming "the needle of the balance" of power in the two different fluctuating opposition groups—one on domestic policy, the other on foreign policy—that are being formed in the Assembly. Against the government's policies, or rather absence of them—on housing, wages, social reform, taxes and the other elements of a potential New Deal, the Communist votes are accepted by the Socialists, about half of the Radical Socialists, some of the Popular Republicans, and most important, some of the Gaullists. Though such a combination is neither a real Popular Front nor likely to win a majority in the Assembly, it gives the Communists a respectable parliamentary role which they had not had for years.

The second opposition is to the government's European policy, especially the EDC in its present form. In this the Communist votes are accepted by the great majority of the Gaullists, many of the Radical Socialists and also many of the Socialists. The oddity is that a majority of the Socialists, though pro-EDC, go along with this second opposition because of their links with the Communists in favor of a New Deal; much as the minority of the Gaullists, while anti-EDC, go along with the first, pro-New Deal and not necessary anti-EDC, opposition because of their need to court the Communists' favor.

The result of this complex situation is simple—and good—from the Communists' point of view. They are accepted back in the parliamentary fold as the allies of conservatives against the EDC, and of the Left in favor of the New Deal. It is also simple—and bad—not only from the European (which means the US policy) point of view, but also in terms of France's domestic future. There is little pleasant in the prospect of the Gaullists and Communists forming the habit of voting together. It might lead to a new definition of *"Liberté, Egalité, Fraternite"* —the right of all Frenchmen to pay with their freedom to cross the bridge from the hazards of democracy to the dubious certainties of a totalitarian state.

Paris FRANK GORRELL

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CONTROLLING McCARTHY

The President Has Declined— Will Congress Take on the Job?

WHEN SEN. JOSEPH MCCARTHY arraigned General Zwicker before his Committee and branded him unfit to wear the uniform of the United States, he did more than humiliate a lifelong soldier and wartime hero. He brought to a dramatic climax a long-developing dispute over the limits of Congressional power, forcing a timid President and an uneasy Senate to face these questions:

Has Congress an unlimited right of investigation?
Is Congressional investigation subject to any standards of procedure?
Who is responsible for setting and enforcing these standards?
Will Congress accept its responsibilities?

President Eisenhower and his advisers considered these questions in the 10 days that followed McCarthy's castigation of General Zwicker. On March 3, in the course of a prepared statement, the President presented his answers:

First: Congress has the right "to investigate into every phase of our public operations";

Second: Orderly government requires that members of Congress and of the Executive approach each other "in an atmosphere of mutual respect";

Third: "Obviously it is the responsibility of Congress to see that its procedures are proper and fair. . . ." "The Republican members of the Congress [should] assume the primary responsibility in this respect since they are the majority party and therefore control the committees";

Fourth: "Fair play" is the American way, and "we can be certain that [Congress] will respond to America's convictions and beliefs in this regard." In fact, the President added, "Sen. William Knowland has reported to me that effective steps are being taken by the Republican leadership to set up codes of fair procedures."

So the President proclaimed the rule of Fair Play, absolved himself as Chief Executive and party leader for its observance on Capitol Hill, and promised the nation that self-enforcement by Congress was already assured.

In this the Congress demurred. "Everybody gets fair play before my Committee," said Sen. William Jenner. Those whom I choose to characterize as Communists don't deserve Fair Play was, in effect, Senator McCarthy's reply. Congress has no power to enforce Fair Play on its committees was the point made by President Eisenhower's Majority Leader Senator Knowland.

So McCarthy is left free to go his way, the citizen to look beyond the President, and to search out answers for himself.

The Power to Investigate

"All of us," said President Eisenhower, "recognize . . . the Congressional right to inquire and investigate into every phase of our public operations." Obviously that much is granted. Sen. J. W. Fulbright argues: "There can be no Congress without the free and unrestricted power to investigate."

But all rights are relative and limited where they conflict with other rights. The question is not *Does Congress have the right to investigate* but: *What are the limits of the power of Congressional investigation?* and *How are these limits to be upheld?* By affirming the power of investigation, saying nothing about the limitations upon it, President Eisenhower begs the question and chooses to ignore a vital struggle that has developed, with growing intensity over the past 75 years.

The power of Congress to investigate is an implied power in the Constitution. Fully utilizing it, Congress asserted that it implied in turn the further power to compel witnesses to provide information on a wide range of issues, and to punish those who refused. For one hun-

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dred years, these powers were not restricted by judicial supervision and control. Then, in 1881, the Supreme Court sharply narrowed the scope of investigation in *Kilbourn v. Thompson*. Hallet Kilbourn was the London manager of a real-estate pool organized by the bank of Jay Cooke and Company. Public funds deposited in the bank were invested in the pool, and were lost as the result of improvidence when the firm went bankrupt. When Congress sought to inquire into the fate of the public funds, Kilbourn refused to testify. He was arrested and jailed in Washington for contempt of Congress and he appealed to the United States Supreme Court. The Court, one of the strongest in American history, returned a unanimous opinion attacking the action of Congress. It held that the resolution authorizing the inquiry contained:

> No hint of any intention of final action by Congress on the subject. . . . Was it to be simply a fruitless investigation into the personal affairs of individuals? If so, the House of Representatives had no more power or authority in the matter than any other equal number of gentlemen interested for the government.

So the Court restricted the power of Congress to investigate and to punish witnesses. It required of all investigations a clear and precise Constitutional purpose, and cast doubt on the notion that the power to punish witnesses for contempt was required for the sake of legislation.

Under these limitations Congress continued its investigations, informing itself, uncovering incompetence, and also harassing President Wilson for the sake of harassment when control of Congress passed to the Republican

Senator J. W. Fulbright: *"The Real Hope Lies in Education"*

. . . THE POWER to investigate is one of the most important attributes of the Congress. It is perhaps also the most necessary of all the powers underlying the legislative function. The power to investigate provides the legislature with eyes and ears and a thinking mechanism. It provides an orderly means of being in touch with and absorbing the knowledge, experience and statistical data necessary for legislation in a complex democratic society. Without it the Congress could scarcely fulfill its primary function.

This fundamental necessity is fairly well recognized today. The only practical limitations applied in recent years have been those necessary to preserve the fundamental three-way division of governmental power, and to preserve the constitutional rights of individual citizens. To legislate effectively the Congress must have virtually unlimited access to information—and it has.

In order to investigate effectively, a Congressional committee must have within the field of inquiry assigned to it a virtually unrestrained delegation of this vast Congressional power. As a practical matter this means that the power to investigate is wielded by individuals, not by institutions. It means that the wisdom, the judgment and the balance with which it is wielded are the wisdom, the judgment and the balance of individual people, ordinary people, working, perhaps, substantially without restraint. This is inescapable in a democratic system, and it is at once both the weakness and the strength of our legislative processes. It is also the source of most of the criticism directed at Congressional investigations, much of which seeks ways to protect the participants in their varied roles.

Criticism strikes too at the motivation of the investigators. Perhaps it would be fair to distinguish between the official and the unofficial motivations behind Congressional investigations. In a given case the unofficial motivation would be the force which actually drives the leading investigator. If it coincides in every respect with the official motivation the investigation will probably be an objective one. If the two diverge anything can happen.

How then can people be protected from the weaknesses of their elected Representatives? Only by restraint of power. But where the delegation of power must be complete, the hazards of abuse are heightened because the restraints must be imposed by those who also wield the power. It is difficult — perhaps impossible — to insulate against the ideas by which people are motivated. . . . The human shortcomings of Congressional investigations lie largely in the abuse or misuse of the investigative power. There is little likelihood that they can ever be eliminated by procedural devices, rules or regulations. The prevention of power abuses is certainly desirable in any situation, governmental or private, but the curtailment of a necessary power is an excessively costly way to curb the abuse. The real hope lies in education, understanding and the development of an ever improving tradition. Above all, it must be realized that there can be no Congress without the free and unrestricted power to investigate.

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Party in 1918. But the great days of investigation came when government passed from Wilson's hand:

> When the Harding Administration began, the air was full of indications of the sinister influences that were to prevail, and were prevailing in the conduct of some of the vital departments of the government. Around Fall and Daugherty suspicions steadily clustered. Washington was thick with talk and not the talk of irresponsibles. As time went on the intimations became more and more outspoken; but every influence of authority, of powerful social connections, of the press, the whole milieu of officialdom in Washington was on the side of those in power and against disclosure and truth-telling. More than that when things could no longer be stemmed and an investigation of Daugherty's administration was entered upon by a House Committee, the forces of wrong-doing rendered such an investigation abortive and futile. . . .
>
> For nearly two years the effort to uncover wrong-doing in the disposal of our public domain were hampered by every conceivable obstruction on the part of those in office and those influential out of office, including members of the President's official entourage and including perjury before a Senate Committee on the part of one of the closest friends of the late President and one on close terms with the present Executive. . . .
>
> Governmental machinery, prestige, wealth, agencies of publicity—all were for covering up things. Never in the history of this country have Congressional investigators had to contend with such powerful odds; never have they so quickly revealed wrong-doing, incompetence and low public standards on such a wide scale, and never have such investigations resulted so effectively in compelling correction through the dismissal of derelict officials.

These paragraphs are from an article entitled "Hands off the Investigations." The author was Felix Frankfurter, and it was published in the *New Republic* on May 21, 1924. It was a reply to the barrage of conservative criticism, led by the bar associations and the most respectable authorities, and directed to the prevention in the future of such punishment as Senators Walsh and Wheeler had inflicted on the Republican Party. Frederick Coudert (father of the present Republican Congressman from New York City) demanded curbs upon the Congressional investigations. John Wigmore deplored the "dunghill" of Congressional inquiries. Frankfurter in reply held:

> The procedure of Congressional investigation should remain as it is. No limitations should be imposed by Congressional legislation or standing rules. . . . The safeguards against abuse and folly are to be looked for in the lores of responsibility which are operating from within Congress and are generated from without.

It was this broad position that a conservative Supreme Court upheld, and in so doing, altered the 1881 Court's decision. When Mally Daugherty, the brother of Harding's Attorney-General, refused to testify or to grant a Congressional Committee access to the records of his bank, he was arrested for contempt and the Court upheld the arrest. Brushing aside Daugherty's pleas based on the Kilbourn case, Mr. Justice Van Devanter held for the Court that: "The power of inquiry, with powers to enforce it—is an essential and appropriate auxiliary to the legislative function."

Van Devanter was careful to add that the powers of Congressional inquiry were still strictly limited. Upholding the decision in the Kilbourn case he argued: "Neither House is invested with general power to inquire into private affairs and compel disclosures." He added, "a witness rightfully may refuse to answer when the bounds of the power are exceeded or the questions are not pertinent to the matter under inquiry." The courts, however, effectively retired from the battlefield. "These powers," Professor Nelson McGeary recalls, "have been employed very little by courts in recent years to restrict Congressional investigating committees."

McGeary continues: "That the courts are now holding only loose rein on Congressional investigations is nowhere more clearly demonstrated than in the opinion by Justice Holtzoff in *United States v. Bryan*." In this case Helen R. Bryan and three other officials of the Joint Anti-Fascist Refugee Committee were subpoenaed by the House Committee on Un-American Activities. They were ordered to produce the records of their receipts and their correspondence with Spanish refugees abroad. They refused, and they were arrested and jailed for contempt of Congress. Justice Holtzoff condoned this action, holding:

> If the subject under scrutiny may have any possible relevancy and materiality no matter how remote to some possible legislation it is within the power of the Congress to investigate the matter. Moreover the relevancy and materiality of the subject matter must be presumed. The burden is on one who maintains the contrary to establish his contention.

So all effective review was overthrown by Justice Holtzoff. In turn his view was sustained by the Court of Appeals of the District of Columbia and at least sanctioned by the Supreme Court in refusing to review the case when one of the defendants, Edward Barsky, appealed. The Court of Appeals upheld the conviction of Barsky, affirming among other points that a Congressional committee could require an individual to answer whether he was a Communist, or a believer in Communism. It washed the Court's hands of authority over the conduct of Congress, "so long as the bounds of power and pertinency were not exceeded."

To this opinion, Judge Henry Edgerton entered an historic dissent. He held: "In my opinion the House Committee's investigation abridges freedom of speech and punishment without trial; and the statute the appellants are convicted of violating provides no ascertainable standards of guilt. It follows that the convictions should be reversed on Constitutional grounds."

Judge Edgerton reasoned that the investigative power

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of Congress can be no broader than the extreme limits of its legislative power. Both are limited, in matters affecting speech and press, by the clear and present danger test. The First Amendment, Judge Edgerton noted, forbids Congress to make any law "abridging the freedom of speech or of the press." The Courts had cited the First Amendment in restricting the express power of Congress to levy taxes; how could they deny its authority to restrict the power of Congress to investigate, which is only an implied power. "Investigation in general," Judge Edgerton noted "and this investigation in particular, is not more necessary than taxation. . . . The power of investigation, like the power of taxation stops short of restricting the freedoms protected by the First Amendment."

Plainly Judge Edgerton argued, the committee's investigation did restrict freedom of speech. (This much, he noted, was not denied by the prosecutor in the Barsky case, and was conceded in the majority opinion.) To the argument that this restriction was justified by the need for enlightenment on legislation to counter the Communist conspiracy, he answered "civil liberties may not be abridged in order to determine whether they should be abridged."

MEANWHILE the majority view has prevailed that the bound of "power and pertinency" alone set the limits of Congressional inquiry, together with the presumption that what Congressional investigators hold pertinent is pertinent. "The 'bounds of power and pertinency' are so indistinct," comments Professor McGeary, "that Congressional committees can now conduct investigations with little fear that the courts will throw a tight harness over them. . . . A committee which wishes . . . will get the information it seeks or will have the satisfaction of seeing the recalcitrant witness punished."

Granted this leeway by the courts, committees of Congress have steadily pressed outward "the bounds of power and pertinency." Judge Edgerton noted in his dissent that among the criteria cited by the Committee on Un-American Activities as pertinent were:

"Opposition to 'the American system of checks and balances,' opposition to the protection of property rights, belief in dictatorship, opposition to the Franco Government of Spain, opposition to General MacArthur, advocacy of a world state, advocacy of the dissolution of the British Empire, criticism of members of Congress and criticism of the Committee on Un-American Activities."

Senator McCarthy in turn has pressed still further the outward limits of "the bounds of power and pertinency." In his investigation of James Wechsler, editor of the *New York Post,* no pertinency to legislation was even suggested by the Senator; the purpose plainly was to discredit a newspaper critical of McCarthyism. No action followed the Wechsler case. But on July 14, 1953, Harvey O'Connor was subpoenaed by the McCarthy Committee. O'Connor was asked by McCarthy whether he had been a member of the Communist Party. The transcript follows:

MR. O'CONNOR: "Under the First Amendment my writings, my books and my political opinions are of no legitimate concern to this Committee. If I have violated any laws in the writings I have written, that is a proper concern for the law enforcement agencies and not the proper concern of this committee."

The pertinency of his inquiry was then stated by the Senator in this way:

MCCARTHY: "You are here this morning because your writings were purchased by the old Acheson State Department. . . . Now . . . when the royalties of your books paid by the taxpayers, go into the Communist coffers, then this Committee is concerned with that. . . ."

On this basis the hearing continued.

MCCARTHY: "For that reason I again ask you the question: at the time you wrote the books which were purchased with taxpayers' money . . . were you a member of the Communist conspiracy?"

MR. O'CONNOR: "I object to the question. . . ."

Mr. O'Connor was subsequently cited for contempt; his case is now awaiting trial.

Meanwhile the obvious abuse by Congressional committees of the leeway granted to them by the courts has caused a reversal of recent legal trends. When Edward Rumely, Secretary of the Committee for Constitutional Government, in 1950, was cited for contempt for refusing to submit his records to the House Committee on Lobbying Activities, he appealed the citation. His rights were denied in a lower court, and upheld in the Court of Appeals. The case reached the Supreme Court, and Justice Frankfurter affirmed the Court of Appeals ruling. He followed the dictum of Chief Justice Hughes that, "If a serious doubt of constitutionality is raised, it is a cardinal principle that this court will first ascertain whether a construction of the statute is fairly probable by which the question may be avoided." Accordingly, Justice Frankfurter narrowly interpreted the purposes of the resolution creating the Committee and affirmed that the citation of Rumely was not required by these purposes. He did add, in a highly significant passage, that "doubts of constitutionality" would have been raised had Congress intended to give the Committee "the power to inquire into all efforts of private individuals to influence public opinion through books and periodicals, however remote the radiations of influence which they may exert upon the ultimate legislative process." Brushing aside Frankfurter's fine distinctions, Justice Douglas, in a concurring opinion joined in by Justice Black, affirmed that Congress plainly did confer these powers on the Committee on Lobbying Activities and that the powers were unconstitutional.

More recently, the citation of Julius Emspak for contempt has been argued before the Supreme Court. Emspak, an official of the Communist-dominated United Electrical Workers, cited the First Amendment supported by the Fifth Amendment in refusing to answer 64 questions posed by Congressional investigators concerning his associations and beliefs. The Acting Solicitor-General, Robert L. Stein, argued before the Court that any ques-

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tion, however personal, fell within "the bounds of power and pertinency" and could be posed by a Congressional committee. This view was challenged by Justice Black who asked the Solicitor-General whether a Congressional committee could properly demand of a witness whether or not he believed in the Ascension. Eventually Stein conceded that his position was untenable.

In turn, Justice Frankfurter observed that he had read over and reflected upon the historic case of *Kilbourn v. Thompson* and that the opinion affirmed then by a strong and unanimous court seemed increasingly impressive in the light of recent trends.

The direction of future decisions was pointed to by the recent opinion of Judge Biggs of the Third Court of Appeals who placed the burden of proving pertinency back on the Congressional committees. He held in *US v. Orman*: "The individual must rely for the protection of his privacy upon the requirements of pertinency," but he added at once: "Where a Congressional investigation enters a field to which the First Amendment is applicable, courts will be particularly careful to check unlawful lines of inquiry."

In addition, of course, the accumulation in the executive of dossiers on the private beliefs and personal affairs of millions of Americans in and out of government compels the Executive to set rigid limits on the rights of Congress to obtain classified documents in the course of its investigations.

The Procedure of Investigation

If an American is brought before a court today, his status is assured by the Bill of Rights. The First Amendment protects his right to privacy; the Fourth, his protection against unwarranted searches and seizures. The Fifth Amendment guards against self-incrimination, providing that, "No person . . . shall be compelled in any criminal case to be a witness against himself," and this in turn has been recognized as applying to witnesses in civil and even in non-judicial proceedings. The Sixth Amendment further provides, "In all criminal prosecutions the accused shall enjoy the right . . . to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense."

In contrast, a witness before a Congressional committee is largely shorn of these rights and deprived of his status in court.

His freedom from unreasonable search and seizure depends on the committee's jurisdiction.

Lindsay Rogers: Congressmen as Judges, not Inquisitors

. . . THERE IS one simple "reform" that Congress never seems to have thought of—to consider its investigating committees in the light of the homely maxim, "what is sauce for the goose is sauce for the gander."

In 1946 Congress passed the Administrative Procedure Act. It was designed to compel administrative agencies — particularly the independent regulatory commissions — to reform their procedures so that parties appearing before them could not complain that they had been dealt with "unfairly" or in a capricious or arbitrary fashion. Congress, so far as the regulatory commissions are concerned, considered that the commingling of investigation with decision was plainly undesirable. It made provision for hearing officials, who, in the language of the Senate report, "must conduct the hearing in a strictly impartial manner rather than as the representatives of an investigative or prosecuting authority."

If Congress really wished to reform its own investigating procedure it need only pass a statute applying to its committees the principles of the Administrative Procedure Act. Such a statute would declare that members of investigating committees were to be judges and not inquisitors; that each committee must have counsel charged with the responsibility of preparing and presenting the evidence on the matters to be inquired into; and that the committee members should not participate in the examination or cross-examination of witnesses. Members of a committee could, as judges do, ask clarifying questions and, when necessary, protect witnesses. The statute should (but would not) provide that any member of a committee who departed from the role of a judge and attempted to be an inquisitor would be in contempt of the branch of Congress of which he was a member —to be dealt with by that branch as it saw fit.

If committee members did no more than preside at hearings, listen to testimony, and then, when the hearings were over, prepare their report, it might be possible to exclude evidence that irrelevantly "smears" and to permit witnesses to be represented by counsel. The investigating staff would know in advance the evidence it was going to present, and with the approval of the presiding committeeman could keep out of the record that which related to innocent bystanders.

Lindsay Rogers, Burgess Professor of Public Law, Columbia University in the University of Chicago Law Review, Spring 1951.

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His freedom from self-incrimination may be obtained at the price of being branded and widely judged to be a "Fifth Amendment Communist."

His right to counsel is a privilege only, granted or withheld by decision of the committee.

His right to cross-examine his accusers is a privilege rarely granted and usually denied.

His right to submit evidence on his own behalf is a privilege sometimes granted, more than once denied with subsequent approval by the courts.

The protection afforded defendants by the Bill of Rights is denied witnesses before Congressional committees. The reason is that these witnesses are not thought to be defendants at all. The Bill of Rights is associated with criminal proceedings but Congressional committees are supposed to be in the business of obtaining information without trespassing on ground reserved by the Constitution for our courts.

Nonetheless Congressional committees have trespassed, constituting themselves *de facto* courts and administering their own kind of punishment without the restraint of due process of law. (Is a man not "punished" who is fired from his job after appearing before a committee?) An early leader of the House Committee on Un-American Activities, Rep. John Rankin, referred to the committee as a "grand jury" in which "defense counsel was denied." Senator McCarthy tends always to conduct a trial rather than an investigation, and one in which he plays the dual role of prosecutor and judge—abhorred throughout the history of Anglo-American jurisprudence. In arguing that the investigation of the House Committee on Un-American Activities infringed the Constitution, Judge Edgerton noted "the Committee and its members have repeatedly said 'that its main purpose is to do by exposure and publicity what it believes may not validly be done by legislation'." More recently Senator McCarthy has held hearings, such as the hearing on Communist infiltration in the public schools of New York for the express and improper purpose of bringing pressure to bear on local authorities who are responsible to state government under the powers reserved to the states and expressed in state legislation.

Sen. Wayne Morse declares: "We have reached a point in the conducting of Senate investigations which go into the question of innocence or guilt of persons under investigation that it is a legal fiction to argue that in fact such persons are not standing trial." Frequently, Morse adds, Congressional committees are conducting trials, rather than investigations, trials "which violate the spirit and intent of the Bill of Rights." It is as an effort to adjust to these transgressions that the movement has arisen to extend to Congressional witnesses the rights granted defendants in court trials.

First among these rights, in the opinion of Senator Morse, is the right to counsel. Without counsel, he holds, a witness in current investigations "is the victim of inquisitions or a star chamber proceeding."

The second right, in Senator Morse's view, is "the right to be advised in advance of the subject matter to be taken up at the hearing." He adds "that right does not exist at the present time"; even as a privilege it is seldom granted.

The third right advocated by Senator Morse is "the right to testify in one's own behalf. He adds,

> That means the precious right to submit one's case . . . in an orderly way, without being badgered or abused in the attempt to do so. It means an orderly procedure whereby a witness takes the stand, after the case against him has been presented, submits his reply under orderly procedure, and then subjects himself to cross-examination.

[Commenting on the criticism that this procedure would take too long, Morse notes:]

> If what really is sought in investigations is the truth —and if the truth is not being sought there is no right to conduct such investigations—it will be obtained in a shorter period of time by following these well recognized rules of procedure under the judicial process rather than by using the Kangaroo court methods which have come to identify too many investigations.

The fourth right advocated by Senator Morse is "the right to be advised of adverse testimony before it is released to the public." He explains,

"This procedural safeguard would bring an end to the anonymous smear material which is not even signed but which is too frequently accepted into the record of our committees. Very frequently, not even members of the committees know its source."

In addition Senator Morse believes that the Senate should recognize three additional rights of witnesses:

The right to have stenographic record of testimony.

The right to write a brief and a rebuttal brief.

The right, in the case of contempt citation, to appeal to the courts for a review as to whether or not the procedural rights of the defendant were violated in the course of investigation.

Lastly, Senator Morse proposes that a majority of the members of any committee or subcommittee shall be present when a witness takes the stand. "That little guaranty," he notes "would have prevented the Zwicker case. It would eliminate a surprising amount of public criticism these days about some of the investigations which have been conducted in this body in the past few years."

Where the Responsibility Lies

"Obviously," said President Eisenhower, "it is the responsibility of Congress to see to it that its procedures are proper and fair." That certainly is true. But what does it mean? To Senator Morse it means that the Senate itself must enact rules of procedure that are binding on all committees that it creates. To other Senators it means that the Senate shall write rules of procedure for every committee to which it makes appropriations to carry on investigations. To Senator Knowland it means that each committee is permitted to pass its own rules. To Senator

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McCarthy it means nothing at all. Yet McCarthy acts in the name of the entire Senate when he humiliates General Zwicker; his committee is the Senate's child, and the Senate is responsible for its behavior. Eighty-five Senators voted for the appropriations sought by Senator McCarthy on the ground that his committee's work was in the line of the Senate's proper function. With this vote went the undeniable responsibility to insure that the McCarthy Committee acts in accordance with procedures that the Senate can support.

President Eisenhower in some form recognizes this responsibility. He adds that it is the special responsibility of the Republican majority. Here while his instinct is constructive, his proposal to refer the matter to the Republican Policy Committee, is in Senator Morse's view "not only inadequate but ill-advised." Morse notes: "it is not good policy for the Policy Committee to formulate legislation, and still less is it its function to prescribe rules for the conduct of Senate committees. . . . Indeed, one of the very abuses that requires cure is the conduct of committees by one party 'without consultation' with members of the minority."

Will Congress Reform Itself?

President Eisenhower passes on to the nation the welcome news that "effective steps are being taken by the Republican leadership to set up codes of fair procedure." Are they to be mandatory or permissive? How are they to be enforced? No further clues are offered by the President. He affirms grandly that "the conscience of America" requires both proper vigilance and fair play and "we can be certain that [Congress] will respond to America's convictions in this regard."

How can we be certain? The record indicates, on the contrary, that we if anything can be certain that without outside pressure Congress will not reform itself.

The record is not altogether barren. Several Congressional committees have voluntarily adopted codes of fair procedure in recent years. The House Committee on Expenditures in the Executive Department made public in 1948 17 excellent rules which it observed. Evidence was kept within the bounds of pertinency, witnesses were permitted to testify on their own behalf, and those defamed were invited to reply. Similar rules were adopted by the Senate Preparedness Committee, the Kefauver Committee on Organized Crime, the Committee investigating the Bureau of Internal Revenue. The Senate Investigations Subcommittee under Senator Ferguson adopted rules in 1949 that restricted its powers. That is the Committee over which McCarthy presides today.

But Congress has refused to formalize these gains into law. When, for example, the courts ruled that the arrest of Harold Christoffel for contempt of Congress was illegal because one Committee member did not constitute a quorum, the response of some Congressional committees was to amend their rules to make one member a quorum. The great majority of Congressional committees follow no rules. The measures for mandatory rules advanced by reformers have consistently been buried in the Rules Committees.

Has the President really the right to assume that more can be expected from his party's present efforts? The Republican Policy Committee that the President referred to met on March 4 with the Republican chairmen of 10 committees. It ruled out dictation; it ruled out a uniform code of rules. Sen. William Jenner accurately summarized the attention accorded its deliberations: "Much ado about nothing."

Public opinion can compel Congress to act. And any action that restricts the transgressor, even the voluntary action of committee members in insisting on advance notice of sessions called by Senator McCarthy is well worth while. Obviously Congressional inquiries will continue to be broad in scope. Obviously the time is long overdue for Congress to recognize the grave problems these investigations present in their threat to traditional rights. Procedures most certainly are needed—established permanently, to place the status of witnesses beyond the whims of passing, ambitious men. The rules need not be uniform. But no permanent committee and above all, none that inquires into matters covered by the First Amendment can safely avoid coded fair procedures.

Yet, to argue that they offer no real assurances against the spread of McCarthyism is surely wrong. There is much to be said for the views of Senator Knowland and Senator Ferguson on opposing uniform and mandatory rules. Even if such rules are adopted, their enforcement is well nigh impossible. If a Senator violates the rule—for instance, where is the right of appeal? To the Rules Committee, says the American Jewish Congress; to the courts, says Senator Morse. But the Rules Committee will not and the courts cannot deal with the Senator whose whole life and character is a transgression against decency. There is basic truth in the words of Senator Fulbright that "The power to investigate is wielded by individuals not by institutions." It follows that no attention given to procedure should divert this nation from the essential fact that the investigative power of Congress will be misused as long as it is in the hands of men whose primary interest is personal publicity and political advancement.

The responsibility for fair procedures as the President notes, belongs to the Congress. But procedure is not the whole story, and responsibility for those who violate the decency belongs first with the head of their Party, and ultimately with the voters who raise them to power. Democracy, Senator Fulbright argued recently "has no apparatus to deal with the boor, the liar, the lout and the anti-democrat." Its only recourse is to replace them with responsible and decent men. Meanwhile, no Senator is going to curb McCarthy when his party leader refuses to lead. McCarthy will pursue his course in one way or another with all the power he now possesses until the people of America insist on Ike *or* Joe instead of Ike *and* Joe.

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Detroit:

More Plants, Fewer Jobs

Auto production capacity expanded, while employment drops, demand falters

by B. J. Widick

DETROIT has more than 107,000 unemployed—men out of work *and seeking* work. And this, the fourth post-World War II employment crisis in an industry usually considered the bellwether of the American economy, has focussed nervous attention upon the auto industry in this and coming years.

Objective appraisal is difficult: there is a marked contrast between the optimism of such an outstanding spokesman as C. E. Wilson, Secretary of Defense and former General Motors President, and the warnings of Walter Reuther, UAW and CIO President.

Wilson says, "Detroit is able to look after itself. I wouldn't worry about it. Come spring and it's going to be all right." But in Michigan, such comments cause violent reaction, for if any part of America has a lingering "depression psychosis" it is this industrial heartland. The older workers and their families remember the 800,000 unemployed in 1933, the recession of 1937-38 with 500,000 unemployed, and the confusion of transition from a peace to a wartime economy during the Pearl Harbor period, again with serious unemployment.

The frenetic postwar history of the industry blocks any attempt to establish a satisfactory concept of "normalcy." Despite the fear of a postwar depression, the industry managed to build 2,155,674 cars and 940,583 trucks in 1946; dealers discovered a vast appetite for new cars had developed during the war years.

Exorbitant prices asked and paid for "new-used" cars suggested expansion and boom, and the industry quickly increased its tempo of production in 1947: 3,555,665 cars and 1,237,974 trucks; 1948: 3,911,335 cars and 1,364,957 trucks; 1949: 5,118,293 cars and 1,131,695 trucks. Was there a saturation point? In the winter of 1949 auto trade journals began talking of "oversupply, excessive inventory dealer troubles." Sudden layoffs—and Detroit had 127,000 unemployed. The 1949-50 recession had struck.

Then the Korean War changed the picture overnight. Spurred by memories of World War II shortages, the public bought, and bought heavily—an astounding 8 million vehicles were produced in 1950; unemployment disappeared.

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But in 1951 production dropped again to 5,333,594 cars and 1,416,382 trucks. The last half of the year saw Detroit unemployment back at the 1949 level.

But in 1952, defense orders filled the gap, and 1953 turned out to be the second best year in automotive history, with car production at 6,140,123 and truck production 1,209,468. It was truly a banner year, with the value of gross production totaling more than $11 billion and employment averaging 930,000.

It was in the midst of the 1953 boom that the first disturbing signs on the automotive horizon could be seen. Last May, Reuther warned the industry against its excessive production rate—dealers wrote letters to the UAW complaining about increasing inventories. These forebodings were dismissed by industry spokesmen. However, in the fall of 1953 cutbacks and layoffs began. Nearly 100,000 employees were laid off, and another 75,000 were working short weeks, not counting the inevitable brief shutdowns for model change-overs. This occurred in the second best year of auto history, and with no defense orders to take up any slack.

Considerable difference of opinion obtained on the extent and significance of increasing unemployment. The tardy Department of Labor reports did not seem accurate. Reuther demanded and obtained a resurvey in January, 1954. The results caused reclassification of Detroit as a "distressed labor area." Industry spokesmen minimized the problem. "Unemployment in Detroit does not amount to a hill of beans," declared Henry Ford II just prior to the reclassification. Willis Hall, research director of the Detroit Chamber of Commerce, reassured the public that the 107,000 figure was the peak.

Apparently, officials of the Michigan Employment Security Commission found these attitudes something less than satisfactory. In any event, Guy Tracy, chief statistician of the MESC, issued a revision of the 107,000 figure. Unemployment totaled 121,000 in the Detroit area, and was well over 200,000 in Michigan. In both cases, the figures were higher than the gloomiest forecasts of two months before. The termination of all military truck orders by July 1 darkens the picture.

There is another apt illustration of the difficulties in seeing the true picture of the auto industry. It concerns the excellent publicity achieved by General Motors at the opening of its Motorama show in New York City. Harlow Curtice, GM president, made page one nationally with the announcement of a projected billion dollar

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expansion program for 1954-1955. How was the American public to know that at the very moment Chevrolet was quietly reducing production 20 percent and going on a four-day week? Or that Packard had shut down again? Or that Hudson was staggering along on a three-day week and Nash on a four-day week? Most of Chrysler divisions, except the Chrysler plant itself, were on short schedules after big layoffs. Even production-happy Ford, intent on replacing Chevrolet in the number-one spot in sales in 1954, eliminated all overtime.

Surely, this brief portrayal suggests something more than an alleged winter doldrums, which as a matter of fact, refers to sales, and not to production, which has usually been high in the early months of the year in anticipation of a spring pick-up on the market. "Come spring, it's going to be all right," is hardly satisfactory.

What is the outlook for 1954? Henry Ford II expressed an opinion that 1.5 million fewer cars would be sold, adding of course that his company would not be the one to suffer. General Motors is not quite so "pessimistic" for the industry. It estimates a 6.3 million car and truck production and sales market. The UAW estimates are not that high. Last August, *Fortune* magazine projected a 4 million car market for 1954. A reasonable compromise figure would be about 4.5 million cars and 800,000 trucks, adding a quarter of a million for safety for a total of 5.5 million vehicles.

If the industry meets this anticipated goal, at least the Big Three—Chrysler, Ford and General Motors—may expect a profitable year. But what is startling about this production figure is that it can be achieved easily in about nine months at the current rate of production, and without rehiring of the unemployed. On February 23, 1954, the millionth 1954 car had already left the assembly line. If plants on short work schedules return to a 40-hour week, the industry will have better than 3 million cars on the market by July 1.

In terms of employment, and this is what disturbs the union movement, this signifies that the industry offers its present reduced working force (approximately 750,000 compared to 930,000 in 1953) prospects of more or less steady work through September—if the "economic readjustment" does not deepen and force revision of estimated car sales. By fall, as advanced work in tool and die shops indicates, the industry expects to be prepared to make a choice: Drastic reduction of production schedules on 1954 models with a gradual model change-over, or the more likely alternative of a complete shutdown and a scramble to put 1955 cars on the market in the last quarter of 1954.

Unquestionably, there will be a spring pickup, the extent of which is bound to be exaggerated by the professional salesmen of the industry. How can a salesman afford to be pessimistic? (A far more accurate gauge of auto industry activity will be any important increase in "auto orders" to the steel industry. At present, neither *Iron Age* nor *Steel* magazine report any significant flood of auto orders for a major spring pickup.) The postponement of new car purchases in the Northern states until the snow, slush and salt are off the streets is a sufficiently ingrained American habit to assure an increase in sales. However, Ward's *Automotive Reports* declared that on January 31, 1954, new car dealers' stocks "edged to a new all-time high with the equivalent of a 52-day supply compared to a normal 30-day supply." These same dealers found themselves at the end of 1953 with close to 500,000 1953 cars on hand, after 1954 models were in regular production.

The muted feelings of the car dealers was revealed in an exceedingly interesting if deeply buried Associated Press item from the annual convention of the National Automobile Dealers Association at Miami Beach. "The most frequent topics were dealers' protests against overproduction, bootlegging of new cars, factory coercion and a general uncertainty about sales of new and used cars in 1954."

Until the end of February, car manufacturers ignored another crucial sign of troublesome days ahead. Lost in exaggerated talk of the "art of salesmanship," and "the return of healthy competition," they ignored the growing car "bootlegging" racket whose nationwide ramifications exploded this month. In recent weeks daily newspapers as far apart as the Augusta, Georgia, *Chronicle* and the Akron, Ohio, *Beacon Journal* have carried sensational exposés of the vast bootlegging racket, mainly in Chevrolets and Fords—the reverse of the process which caused ill-will in the early postwar days. At that time, new cars found their way to used car lots and were sold at big premiums. In 1954, some car dealers are selling lots of cars at wholesale prices to "used car" dealers who sell the new cars at $200 to $500 below market price, after shipping them South, and thus undercutting the regular dealer in that area. GM and Chevrolet warned against that practice late in February. What this practice indicates, of course, is the fear of the dealer about market trends, and forecasts a hard selling period ahead.

Of course, this is the crisis of the winter of 1949-1950, but in sharper form, unless Indo-China becomes another Korea, or some other unlikely flareup in the Cold War sends a frightened American public to buy a new car while it can. Although the auto industry does expect to maintain around 20 percent of its production in defense work, what is in prospect is the fact of a peacetime economy that seemed possible in earlier postwar years. This is the challenge to industry: Employment, sales, and profits depend on durable civilian goods to a greater extent than either industry or labor estimated.

How do the economists of the auto industry view the future? There is much talk of increasing the market by building up the psychology of the need for a new car yearly, and for the same higher income group to make the family a two-car family. On another level, industry spokesmen refer often to the 17 million American families without any cars, as if that strata of society, faced with unemployment or insecurity now, are

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potential buyers. Another bromide is the statistic, "37 percent of the nation's farms do not have a car and 66 out of 100 do not have any trucks." Will the recession in agriculture improve the buying power of those segments of our population? Scrappage figures are another solace. Three million cars should be scrapped this year. How many of the persons driving those pre-World War II vintage automobiles are in a financial position to purchase even a postwar jalopy? In a declining economy, with more than 3 million unemployed, the idea of tapping new sources for sales hardly makes economic sense. After all, even industry spokesmen don't expect to equal 1953 sales records. The contradictions in their estimates and sales pep talks speak for themselves in this regard.

So the paradox of idle plant capacity and idle men appears most likely to plague the auto industry in 1954. The pronouncement of new plant expansion by Curtice of GM, the creation of new Ford assembly plants, and the acquisition of Briggs by Chrysler, suggest that the only answer of the auto industry for the future is more cars, if the public will buy them. There is little evidence of any flexibility in the thinking of the auto magnates along lines of producing other things besides cars or seeing American economy and civilization as something more than a car owner's paradise.

At present, even Walter Reuther seems to be lacking one of his "Reuther plans," that used to send the industry into a paroxysm. The current preoccupation of the UAW understandably is the campaign for higher and extended unemployment compensation. In the 1955 program for a guaranteed annual wage, the UAW obviously intends to ask for greater social responsibility for management in production planning and securing of permanent work for the auto industry employees.

Aside from the usual questions created by the issue of a guaranteed annual wage in terms of a labor-management dispute, the debate may serve to raise many basic issues of far greater social significance which deal with the role of the auto industry in the over-all American economy. Can a durable goods industry actually level its production and regulate its market to provide steady year-around employment? Can consumer tastes be developed so that a persistent demand for cars, is relatively constant? Is it possible in a relatively free economy, in which the auto industry plays a most sensitive role, to change the feverish character of that industry's previous history? Is it pertinent to ask perhaps an even more fundamental question: Given the social needs of a growing population and a vast unsatisfied consumer demand, should the enormous productive capacity, the undeniable production genius and extremely valuable pool of skilled and experienced work force concentrated in the auto industry be limited in the next decade to the narrow goal of simply producing more cars as its contribution to American economy and civilization?

Eric Sevareid: *Back to Model T's*

THE MODERN CAR is an example of progress going so far it has circled back on itself; it is too fast, too comfortable, too quiet and too filled with automatic devices, all of which break down at one time or another. Yesterday in a strong wind the hood on my taxi flew up, smashed the windshield, blocked off the driver's vision and we narrowly escaped a bad smash-up. That never happened in the old days of the spring catch operated by hand. Children have been maimed and even killed in the modern finger-tip controlled car windows. That never happened in the days when the American driver was considered athletic enough to crank his windows up or down.

And how many people have been crushed against the garage wall by the automatic gear shift, which has a will of its own? How many people have been killed because the driver didn't know his brake fluid had leaked out? Under the old braking system you had fair warning. The newest idea in this so-called progress is the headlight that will automatically dip when the lights of an approaching car strike it. This is fine until it breaks down unbeknownst to the spoiled and sleepy driver, at which point more mechanical murders will ensue.

The whole point is that the instinctive self-survival apparatus of the human nervous system is dulled and blunted in the modern, quiet, comfortable automatic vehicle which is not really driven or operated but merely sat or slept in.

Since the human brain, hands and feet have so little to do the only really safe drivers today are those the psychologists call "high-grade morons." That is, people who are fascinated by the gadgets themselves and, like children, can keep their thoughts upon them. The abstract thinker, the intellectual or the man who merely has a lot of problems on his mind wanders off in his thoughts until a crash or a shriek brings him back to reality. Perhaps people can't be changed but they can be protected. So the independent pessimists' party proposes that all driving tests be given by psychologists. The high-grade morons will be allowed to drive the new cars. All others will drive only cars remade in the old image; cars that rattle, bump and bang and require both hands, both feet and the whole cerebral system to operate. Otherwise my party will wash its hands of the whole business, and sit by and watch in the attitude of the famous historian who said of the human race, "I wish them well."

Eric Sevareid on CBS Radio News, February 18, 1954

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GERALD W. JOHNSON: *The Superficial Aspect*

A FRIEND, agitated by the extravagancies he has been reading in the public prints, asks if we have really sunk to a new low in political debate, or if it only seems so because we have forgotten the quality of the mud slung in earlier days. My first impulse was to say No, because I had just been reading Nathan Schachner's book on the Founding Fathers, which brought to mind such characters as Bache, Fenno, Freneau and Dwight—not Timothy, president of Yale, but Theodore, his brother—all of whom had a mastery of billingsgate hardly approached by moderns.

These accused George Washington of plotting the subversion of the republic, Alexander Hamilton of embezzling public funds, and Thomas Jefferson of inaugurating the nationalization of women, which is pretty copious mud-slinging. But they were not Cabinet members, Governors or members of Congress. They were merely newspaper editors, so it is questionable that their mouthings should be compared with the utterances of public officials.

The acme of bitterness in official circles came somewhat later. The two greatest masters of vituperation in American political history were John Randolph of Roanoke and Charles Sumner; but both were something more than poisonous—both were learned and witty. Sumner's characterization of dwarfish Stephen A. Douglas as "a noisome, squat, and nameless animal" had some traces of imagination; and his comparison of Sen. A. P. Butler's defense of slavery to intimacy with a repulsive "harlot, chaste in his sight," while certainly low, was meant to be strictly metaphorical.

The supreme example of that sort of thing is, of course, what John Randolph laid on Edward Livingston: "He is a man of splendid abilities, but utterly corrupt. Like rotten mackerel by moonlight, he shines and stinks." But it took a wit to make that comparison. Even better was his comment when Richard Rush was made Secretary of the Treasury: "Never were abilities so much below mediocrity so well rewarded; no, not when Caligula's horse was made consul." That, though, was perhaps borrowed. Randolph was strictly on his own when he made the attack that provoked the duel—his description of the tie between John Quincy Adams and Henry Clay as "the coalition of Blifil and Black George—the combination, unheard of till then, of the puritan with the blackleg." This was tantamount to an assertion that Clay cheated at cards, which was infamous—but brilliantly put.

There is no suggestion of wit, however, in Senator Jenner's description of General George C. Marshall as "an eager front man for traitors," and "a living lie." There is no wit in Senator McCarthy's description of five Democratic Administrations as "20 years of treason." There is no wit in the slanderous charges brought against Dean Acheson. They are as dull as they are venomous, perpetrated by men who could never come within miles of Randolph's description of two members of Congress as "a Wright always wrong and a Rea without light."

It is regrettable, but true that this world will forgive a great deal to a man who amuses it. Our indignation at an outrageous utterance is always somewhat blunted if the thing is smart; who, for instance, would pursue with righteous wrath the man who said that Adlai Stevenson's motto is, "I'd rather be bright than President?"

So while it is true that American political debate wallowed in the gutter a hundred and fifty years ago, it is also true that the worst of the guttersnipes were private individuals, not representative of any constituency. And while it is true that debate a hundred years ago was fully as venomous as it is today, it is also true that the most venomous of the debaters sparkled, and sparkling slander is less offensive than stupid slander, even when it is uttered by a man in an official position.

Thus it would seem that the modern tone of speakers in public office, being merely ruffianly without wit, is a notch lower than anything that has preceded it. Randolph once excused a descent into sheer ranting by a theatrical simile: "There must be something for the shilling gallery as well as the pit." The inferiority of his modern successors is that they have everything for the shilling gallery and nothing for the pit.

It is to be feared that my friend's agitation is justified. We really have hit a new low when the orations discharged in the halls of Congress make the late Huey Long seem, by comparison, a very Aristides.

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Adlai Stevenson—"A Party Divided"

. . . WE ARE witnessing the bitter harvest of the seeds of slander, defamation and disunion planted in the soil of democracy.

I do not propose to respond in kind tonight to the calculated campaign of deceit to which we have been exposed of late, nor to the insensate attacks on all Democrats as traitors, Communists and murderers of our sons.

Those of us—and they are most of us—who are more Americans than we are Democrats or Republicans, count some things more important than the winning or losing of elections.

There is a peace still to be won, an economy which needs some attention, some freedoms to be secured, an atom to be controlled—all through the delicate, sensitive and indispensable processes of democracy—processes which demand, at the least, that people's vision be clear, that they be told the truth, and that they respect one another.

A year ago at this time there was every reason to hope that we were on the threshold of an era of great good feeling among Americans. Yet today, where we hoped for harmony, we have discord.

Where we yearned for healing, we have hostility. Where we looked forward to a nation united, we have a people divided. Where we expected firm leadership, we have timidity.

It is wicked and subversive for public officials to try deliberately to replace reason with passion; to substitute hatred for honest difference; to fulfill campaign promises by practicing deception; and to hide discord among Republicans by sowing the dragon's teeth of dissension among Americans. The loyalty and patriotism of a whole political party, of one-half of the nation, has been indicted.

Twenty years of bipartisan effort, highly intelligent and highly successful, has been called "Twenty Years of Treason" under the auspices of the Republican National Committee.

When one party says that the other is the party of traitors who have deliberately conspired to betray America, to fill our government services with Communists and spies, to send our young men to unnecessary death in Korea, they violate not only the limits of partisanship, they offend not only the credulity of the people, but they stain the vision of America and of democracy for us and for the world we seek to lead.

That such things are said under the official sponsorship of the Republican Party in celebration of the birthday of Abraham Lincoln adds desecration to defamation. This is the first time that politicians, Republican politicians at that, have sought to split the Union—in Lincoln's honor.

This system of ours is wholly dependent upon a mutual confidence in the loyalty, the patriotism, the integrity of purpose of both parties. Extremism produces extremism, lies beget lies.

The infection of bitterness and hatred spreads all too quickly in these anxious days from one area of our life to another. And those who live by the sword of slander also may perish by it, for now it is also being used against distinguished Republicans. . . .

The logic of all this is not only the intimidation and silencing of all independent institutions and opinions in our society, but the capture of one of our great instruments of political action—the Republican Party. The end result, in short, is a malign and fatal totalitarianism.

And why, you ask, have the demagogues triumphed so often?

The answer is inescapable: because a group of political plungers has persuaded the President that McCarthyism is the best formula for political success.

Had the Eisenhower Administration chosen to act in defense of itself and of the nation which it must govern, it would have had the grateful and dedicated support of all but a tiny and deluded minority of our people.

Yet, clear as the issue is, and unmistakable as the support is, the Administration appears to be impotent. Why? Because the party which created the Administration is hopelessly, dismally, fatally, torn and rent within itself.

The Stevens incident illustrates what proceeding events have made memorably plain: a political party divided against itself, half McCarthy and half Eisenhower, cannot produce national unity or govern with confidence and purpose. And it demonstrates that, so long as it attempts to share power with its enemies, it will inexorably lose power to them.

Perhaps you will say that I am making not a Democratic but a Republican speech; that I am counseling unity in the Republican Party and Administration. You bet I am!

For as Democrats we don't believe in political extermination of Republicans, nor do we believe in political fratricide, in the extermination of one another. We believe in the Republic we exist to serve; and we believe in the two-party system that serves it—that can only serve it, at home and abroad, by the best and the noblest of democracy's processes. . . .

[*From the address by Adlai E. Stevenson before the Southeastern Democratic Conference, Miami Beach, March 6.*[

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BOOKS & COMMENT

Evidence from a Tapped Wire

by John H. Herz

"Wisdom suggests study instead of a scream."—Harold Laski

WHAT distinguishes a free world from a doctrinaire world is not so much what they stand for but *how* they stand for what they stand. Argue with a doctrinaire Marxian, and he will "refute" whatever you say by "reducing" it to your class background ("typically petty-bourgeois prejudice"). Tell an orthodox Freudian that you have no remembrance of a complex you are supposed to have (not even in your dreams ever): to him your very argument proves how firmly you have repressed it. Thus reason is not met on its own plane, and there is no use talking except, possibly, about temporary truce-lines.

SECOND SNAG: "Dialectical" thinking. According to Hegel the condemned criminal cannot but ultimately "will" his own execution. People living under Communist rule "really" prefer unfreedom to spurious freedom outside the Curtain because it presages the ultimate stage of perfection. What meets the eye is not so: shabby, run-down East-Berlin is "in reality" more beautiful than rebuilt West-Berlin because you must dialectically perceive the morrow in the today, distinguish what is "pregnant" with future from the decaying.

BUT the fun is that totalitarian rule kills off the "dialectic" itself through total manipulation. History, in the Marxian sense, indeed comes to an end; however, not to the one predicted, "the realm of freedom," but its opposition: Where once history's "spontaneous forces" played, the totalitarian ruler now churns the void. Future's pregnancy ends in abortion.

COMMUNIST doctrine now seems to guide the anti-Communist world more than it does Communism. Our policy-makers quote the CP Holy Trinity like any eager student at a Communist academy, believing that this way they know how to counter the "threat of Communist world conquest." But who can tell whether the doctrine is not window-dressing and they are beating us to it by conquering in more "peaceful" but equally efficient ways? By winning over "backward" nations without fighting? By exploiting poverty, race discrimination, and the growing awareness of the under-privileged that starvation is not inevitable? Maybe we are misled by the so-called "lesson of the thirties" (when military conquest *was* Fascism's prime means to attain its ends).

SOMEBODY has said that the really different worlds in our world are not "East" and "West" but rather both together as contrasted to, say, Saudi Arabia. It is frightening how inconspicuous events seem to prove it. On the other side of the Great Divide an apartment-house super has to keep a list of everyone who visits you; here veterans and others "turn in" names of suspicious characters. But he who has "nothing to hide," must he not be ready to have any neighbor look into his affairs any time? And hasn't this neighbor, if he finds something suspicious, the right and duty to report it? Answer: A society which is no longer able to distinguish civic duty to report a murder case to the police from going out on one's own to snoop—that society is no longer one of free men.

ALREADY the raucous Nazi voice of two decades ago (remember the "fourteen years of shame and treason"?) is echoed by the voice indicting our own "twenty years of treason" (during which we won a world war, became the strongest power on earth). To escape the baffling complexities of today and tomorrow we indict the past. Sensing the doom which that "bigger bang for a buck" (or ruble) may bring upon us we already attribute the "guilt"; no more foolish way *not* to prevent the doom!

ii

"History is bunk"—Henry Ford

UPON the face of it there has never been so much understanding of "time" and "the historical" as nowadays. Everything is "historic" today, including the event which has not yet taken place: "Listen to the history-making speech *to be* delivered by . . . at 9 o'clock tonight."

EVENTS are no longer lived through and experienced as "new" and "meaningful," the only way in which they might become "history-making." Compare the way in which the First World War was still experienced with the apathy that accompanied the Second. Perhaps it is no accident that the officially celebrated Armistice Day is the one that terminated World War I. That war was "*the* World War" when it happened, but the next world-wide war, seemingly fought over still more fundamental issues, got a mere serial number.

INSTEAD we are buried under the sheer weight of dead history which we believe we should carry around like the snail its house. Everything in private, business and public life is documented and recorded, files are swamped, archives and libraries burst, dead paper crowds out the living. Mankind may die buried under its own record.

LOSS of real historical sense is accompanied (maybe caused) by the indirect nature of modern "experience." Who, watching an event on the screen or listening-in to it, can know (or cares) whether he witnesses "what actually happens now," or the fictitious and ubiquitous reality of the stored, canned, tape-recorded event? Sometimes, it is true, the deception breaks through: the needle scratches or repeats the same words.

"GENUINE" events themselves are being "adapted" to be repeatable and presentable to an "audience": "prepared scripts" in the place of spontaneous debate; prefabricated, press-released world. Yet we fall for a spurious realism: 3-D. By that token sculpture (which is 3-D) is superior to painting (2-D), painting to music (no D).

HOW then can we be supposed to distinguish the significant from the trivial? The world becomes a hall of mirrors wherein everything must be reflected a hundred times until one does not know the substance any more. Purely private "events" (Little Peter A. was host to . . . at his fifth birthday. . . .) are reported in the press, broadcast, televised; the broadcaster (newspaper) in turn is to be congratulated for doing so; the one who congratulates is to be com-

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mended for having congratulated, and so on *ad infinitum*. No event carries weight unless it is mass-acclaimed; if it gets such acclaim it carries no weight either because it is soon forgotten over the next one, like last year's best-seller.

EVEN the genuine event or work is deflated when experienced out of its due place in time and space: Toscanini as backdrop to dinner enjoyment; or even a "live" performance of the St. Matthew Passion to which you go at any old time instead of Good Friday. Because in that case it is no longer part of a tradition. It can no longer make "epoch" in your own personal "history"; you have none.

iii

"Things fall apart; the centre does not hold"—W. B. Yeats

WE have "conquered" time and space; but we are lost in space as we are in time. When Goethe travelled from Germany to Italy he experienced a new culture; it made epoch in his life. Crossing an ocean or a continent in a few hours we no longer feel a meaning in change of location and distance. It's now only a matter of a couple of air-terminals scattered over the globe, and of what conveniences they offer. At the same time the nearby place outside the city, unless it is right next to the super-highway, becomes inaccessible. But, knowing a few simple mechanical tricks (and nothing about the mechanics of the thing itself), we drive our cars with a feeling of being masters of the world (*i.e.*, that part of it which is accessible by dual lane highways and turnpikes).

AS IF to take revenge on "out-of-the-way" places which have become inaccessible, technology moves in with the bulldozer to make them all-too-accessible housing developments complete with shopping centers. Where the Greeks celebrated the founding of their new cities with the consecration of the market-place we celebrate our new "garden suburbs" with the consecration of the super market.

IT seems so inexpensive to live a secluded life: no expensive social life, parties, TV. But try to live sufficiently far away from the noise and the crowd, so that you don't hear *their* parties and radios, try to travel and relax where they are *not*, try to get a quiet hospital room, or a non-crowded school for your child.

A HUNDRED years ago Schopenhauer complained bitterly about "the truly infernal cracking of whips" in the lanes of his good old Frankfurt, a noise "which robs life of all peace and meditation." "Hammer blows, dogs' barking, children's whining, they all are frightful; but the cracking whip is the true thought-murderer." Poor old soul, he hardly knew what he was talking about. Imagine Schopenhauer in the modern "chicken-coop" development.

"No house in the future," says Lewis Mumford, "will be generously planned that does not have its closet or its cell, to supplement the only equivalent for it today, the bathroom; no city will be well designed that does not set apart places of withdrawal: solitary walks, secluded woodland hideouts, unfrequented towers hard to climb." Bravo! But what, with our teeming millions, can remain unfrequented, solitary?

GONE are even basement, attic, loft, and with the plunder goes also the old chest, goes "tradition," that which used to be "transmitted" from generation to generation when we still had a sense of origin and continuity. Some may say: Cheers for the generation that has new things to replace the outlived past—but have we? Hardly; we merely have no storage-space.

iv

Les temps présents sont plats et fades
(La belle Hélène)

IN 1920, there were 50,000 radios in this country—today there are 30 million; in 1920, there were 935,000 washing machines—today 15 million are in use; in 1920, 10,000 electrical refrigerators were in use—today 14 million are in use" (my figures are probably already dated).

ISN'T this convincing proof of increasing wealth and rising living standards?

AND AGAIN: "The US has four times as many telephones, five times as many radios, and six times as many automobiles as any great nation of Europe."

WHAT *does* it prove?

EVEN if we had all the figures we could not decide scientifically whether technology has actually improved living conditions because the respective criteria don't jibe: You cannot determine "objectively" whether an hour's ride in a car (for pleasure or otherwise) is more or less comfortable, healthy, enjoyable than an hour's walk; whether an afternoon spent at television yields more by way of enjoyment or less than the walk or bicycle ride to the mill in the woods of the past.

"BUT at least it has enabled a larger number of people to share in wealth." Wait a minute. Already we seem to reach the point of diminishing returns, where population increase outruns increased productivity; (in some parts of the world industrialization, improvement in health conditions, etc., are accompanied by lower calorie intake of a fast increasing population); and what they share in may be spurious. It is not a matter of idealizing a past which was cruel and hard to the majority of human beings; just a *caveat* not to mistake the popcorn for the bread.

"MAN'S right to knowledge" (let's for the moment forget about "the free use thereof"): It is no longer (in this country) a problem of "general free education," access to books and libraries, but rather that mass-education with mass-standards tends to offer bargain-basement ware (or the "education through life" which even the children of the "savages" get). Compare the "little golden book" with its "gardensuburb" contents (one cannot call them "stories" any more): "Let's go for a walk, Susie—There comes daddy back from office—Hi, daddy! We had a happy day," finis) with Anderson's tales, and you know what I mean. This way the young get neither the imaginary world nor the real world, neither the world of kings and witches nor the world of beggars, bankers, and workers; just utilitarian dead-center. "It's educational."

BUT child (and man) needs the image of a city or town or landscape which is, or was, his, of a house and a celebration, pieces of furniture, people; signposts for memories, casings around which he can build memories, for without memories life becomes disconnected, a casual sequence of sense impressions without unity. Experience no longer gives him such a casing. He moves from place to place without ever settling down; with fixed abode go friends and friendships (fleeting acquaintances not deserving that name); with divorce and separation no stable family relations any more. No longer preparing for "calling" or life career, changing occupations all the

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time, we have neither colleagues nor lasting interests of our own (except the one "to make a buck"). Holidays, once hallowed landmarks on the calendar, turn into nightmares to harrassed shoppers crushed in shoddy stores, where the carol of Rudolf the Reindeer blares forever from off-tune loudspeakers. Devoid of experience of things human, yet to what remains we get ever better "adjusted."

WHAT does liberty mean under these conditions? More than what has been called "man's one remaining freedom in an age of mass culture—the freedom to arrive at uniformity through individual choice"? The answer is no, if we go on "adjusting" ourselves to conditions largely of our own making; yes, if we realize that a man doing meaningful work, a kid enjoying real play, a pair of lovers walking in the wood far away from the superhighway, a group of friends gathering for chamber music or masquerade, are still the beginning and the end.

Lollipops & Lovers

THIS is the first piece of avowed fiction by Simone de Beauvoir I have ever read, but I have wandered around in her semi-fictional *America Day by Day* and the *Second Sex*, emerging from those untidy, paranoid fantasies with the sense that here were *another* American and an (at least) *third* sex. Mlle. de Beauvoir has

She Came to Stay, by Simone de Beauvoir (World; $5).

a rare immunity to real events, (a blessed blindness that lets her report, for instance, that there are no signposts on American roads and that our women never drive long distances alone), so that certain stereotypes can luxuriate in her mind unblighted by homely facts: love can exist only outside of marriage, American women are really enslaved, *et cetera.*

I do not mean to say that she merely renders platitudes in their grey limpness; she suffers and writhes under them, as most people can suffer and writhe under only the realest of torments. It is no good saying the image of America or Woman which wounds her is an hallucination, she can say in rebuttal that her blood and tears are real. It is the unanswerable argument that her blood and tears are real. It is the unanswerable argument from stigmata.

I have been wondering for a long time what kind of novel could be written by one so incapable of registering actual experience and so remarkably able to convert clichés into anguish. *She Came to Stay* should have been either extraordinarily good or impossibly bad; I regret to say it is only mediocre.

I suppose the primary fault of the novel is its failure to become quite fiction; certainly, it is not nearly so *imagined* as *America Day by Day*, which comes by invention less honestly. It remains an allegory, a schematic fable exemplifying the Existentialist psychology of Sartre's *Being and Nothingness*. From a literary point of view, there is something attractive in the Sartrian attempt to make a materialism and atheism grown hopelessly old fashioned as gloomily *chic* as the most advanced neo-Protestantism; and certainly there is no *a priori* reason why any system of psychology should be incapable of informing a work of art. The Aristotelian notion of the triple soul, the theory of Humors, the most improbable sciences of the mind have helped create amusing or pathetic pieces of literature. No psychology can be utterly false, and Sartre's strikes me as a legitimate description at least of the kind of person Sartre himself is and knows, to whom shame is realer than love and nausea than joy. The transformation of the Cartesian *cogito* into the concept "I wince therefore I am" is not merely up-to-date but profoundly moving.

That Sartre is himself a bad novelist is accidental, the result of his being a bore rather than of his espousing a particular epistemology. I am quite sure, at any rate, that he could have written a play as inept as *The Respectful Prostitute* (well, *almost* as inept!) if he had never heard of Martin Heidegger. Mlle. de Beauvoir is not nearly as pretentious in this book as the master of her school; her scene is not the large, false-noble background of the Resistance, but the pre-war world of the Parisian cafes; and the people who move through her novel are the kind of people who would believe in the sort of psychology by which she attempts to describe them. That is, they *would* be that kind of people if she had succeeded in making them people at all.

Once more the triangle, as a matter of fact interlocking triangles, major and minor: the actor, his mature mistress, the young girl from the provinces, the boy barely past adolescence; and the charmingly foreseeable ending with the older woman murdering the younger. But when one looks through the action to its motivation all is changed. It is not merely a matter of transforming the fable from a Christian-Romantic world to one of moral improvisation (ambiguity, Mlle. de Beauvoir would prefer to say), but of making ontology rather than biology the source of the protagonist's basic drives. Françoise kills Xaviere not because Xaviere has temporarily won away Pierre, but because Françoise has seen Xavière *looking at her,* transforming her from subject to object.

It is all what we have read before in Sartre, minimally personified: "When I fall under the regard of another a hemorrhage sets in, my world leaks and flows away; I am wholly given to the other like an *en-soi*. . . . In despair . . . the *pour-soi* may seek to get rid of the other by bringing about his death. This is hate." "*This* is hate?" one asks in astonishment, this combat of *en-soi* and *pour-soi*; and for a moment, one is tempted to take the whole book as a deliberate irony, an attempt to show the banal dénouement of a triangle working its way out behind the fashionable explanations of people blind to themselves. But for such an irony to exist the characters would have to be imagined as people, not contrived as embodiments of existentialist theory.

No, no, it is all only too serious, as the epigraph from Hegel declares, "Each consciousness seeks the death of the other." (The translator bewilderingly writes "conscience" instead of "consciousness.") The irony is all outside the novel, in *our* relationship to it, not the author's—and that finally is a pity; because the décor at least is convincing, that Paris which lives from book to book, and whose existence in the real world alone is hard to accept. As a guide book to the Left Bank of just before the war (for hamburgers it's the *Coupole,* for "authentic" Spanish dancing the etc. etc.) the book has its fascinations and rewards; the record of a world of a permanent, internal tourism, of an endless shopping for sensations and their public consumption. It is a world in which the taste of shrimps in the Halles counts as much or as little as the act of love.

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As a matter of fact, the reallest things in the book are finally the tastes. A piece of candy Mlle. de Beauvoir approaches with humility and without crippling preconceptions, as she can never approach a man, so that the moment of anticipation as the paper (almost too pretty to ruin) is stripped away, the texture of a sucker on the tongue—these things live as almost nothing else does in *She Came to Stay.*

It is the last irony of the book that its lollipops are realer than its lovers, its descriptions of pretty gluttony more moving than its account of murder.

LESLIE A. FIEDLER

A Too Simple View

THOSE who believe that diplomatic history should be written to express moral judgments about the individuals who made history and not merely to record events or to analyze "objectively" the relations between the sovereign abstractions called "nations" will find a zealous and skillful exponent of this approach in Dr. Salvemini. With the liberal pas-

Prelude to World War II, by Gaetano Salvemini (Doubleday; $7.50).

sion, literary charm, and ironic wit that illuminate all of his writings Salvemini has in this substantial work focused his incisive scholarship upon the diplomacy surrounding the Italo-Ethiopian War (1935-36), which he regards as the prelude to World War II.

In spite of Salvemini's extensive research, especially in the European press, professional historians will not find any additions to the sum total of human knowledge. The book was completed in 1949 and, consequently, does not profit from the vast amount of new information already unfolding in the publication of the British, Italian, and German archives covering the period of Mussolini's ascendance. From the standpoint of sound scholarship and interpretive balance historians should find the account of Mussolini's early foreign policy most satisfactory. However, professionals and nonprofessionals alike will be more interested in Salvemini's central thesis than in the information he conveys about particular events; and this thesis is pretty well summarized in a few pages of "The Breakdown of Collective Security," one of the concluding chapters in the epilogue.

The thesis is a familiar one, which was expounded with special zeal by liberal internationalists in the late 1930s and during the war. As a long and distinguished proponent of Italian liberalism no one expounds the thesis with truer conviction than Salvemini. And yet from the perspective of 1954 it is difficult to share his pure, uncomplicated conviction without qualification.

Salvemini contends that World War II became possible because international gangsters found that they could commit aggression without being punished by the collective police force of all League members. Mussolini was able to prove that crime paid in Ethiopia because the British and the French foreign offices lacked the determination to enforce the League Covenant. Chiefly to blame for this lack of determination were the British Conservatives, because they were content merely to protect Great Britain's traditional interests, embodied in the Locarno agreement, when they should have stood ready to enforce League sanctions against aggression in any quarter, from any source. These Tories were especially blameworthy because they cynically pretended to support the Covenant, while in reality they connived with Mussolini and appeased Hitler in order to divert Fascist aggression from British interests and direct it elsewhere.

In this morality play Salvemini reserves for the mass of common people everywhere a role of innate wisdom and virtue; and it is a peculiarly passive role. When nations acted wrongly, it was because a few politicians or diplomats deceived the populace. When the politicians or diplomats acted wrongly, it was because of their own stupidity or wickedness—usually the latter. One gets the impression from Salvemini's narrative that the diplomats and politicians were free agents, preoccupied with selfish national interests merely because of an occupational blindness; whereas they ought to have been acting upon the generous internationalist aspirations of the multitude.

Therefore, when Salvemini explains the failure of Great Britain and France to enforce the Covenant, he looks no further than at the faults of the few men who were in a position of authority. Many of his observations are shrewd and valid, and all are served with such wit and charm that they are easy to swallow. But what one misses here is a more solid fare of political analysis. One misses, for example, the kind of penetrating analysis of popular attitudes and foreign policies that Arnold Wolfers presented in *Britain and France Between Two Wars* (1940) or the kind of perceptive examination of why statesmen think and act as they do that one finds in several of the chapters in the recent volume, *The Diplomats, 1919-1939,* edited by Gordon Craig and Felix Gilbert.

Instead, Salvemini asks of this whole complex period simply, "who killed collective security?" And when he exposes the villains and their plots, he leaves little scope for conflicting motives, good intentions wrongly directed, plain muddleheadedness, and ordinary timidity or shortsightedness. Thus he is not content with Churchill's enumeration of the sins of omission and commission of the British Tories. All these sins, he charges, were the logical consequence of a plot to involve Hitler in a conflict with Russia. How does he know this? "If one ignores that assumption, British foreign policy after 1934 becomes a succession of absurd muddles. If one bears it in mind, the policies of the British Tories become clear and consistent."

Salvemini's book would be more enlightening had he begun by accepting the fact that British policy *was* a succession of absurd muddles. Then he might have told us something about the ironic

NORMAN THOMAS

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perplexity of a period in which mediocre statesmen, faced with an unprecedented international revolution, sought—partly for reasons of domestic political expediency but not entirely—to reconcile the ends of traditional diplomacy with the Wilsonian ideal of enforced world order and ended by achieving neither. He might have taken into account the contradictory pressures of public opinion, the profound aversion to war combined with a desperate belief in collective resistance to aggression. Then he might have distinguished important shades of diplomatic motivation instead of lumping Eden, Churchill, Baldwin and Chamberlain under the same indictment.

Much of our postwar diplomacy reflects our reading of the lesson of the interwar period. Therefore, it is important to read that lesson critically and correctly. From Salvemini's account one might suppose that the lesson was simply that nations should stand ready to join automatically in enforcing sanctions against aggression, by military means if necessary, regardless of the consequences for their own particular interests. Is this a valid lesson? In picking and choosing the aggression they would resist, British statesmen may have interpreted their national interests too narrowly; but could they have afforded to commit limited national resources to resisting aggression everywhere without regard to those interests? In any case, even if Great Britain and France had saved Ethiopia and Germany had not taken advantage of this move, it is by no means certain, as Salvemini assumes, that this would have deterred the fanatical Hitler from perpetrating World War II. One thing is certain: whether a democracy commits itself to resist all aggression or only particular aggressions, it incurs grave risks. The problem of collective security is not, primarily, a problem of the morality of individual statesmen. It is a genuine political dilemma. Has Dulles solved it better than Chamberlain? ROBERT E. OSGOOD

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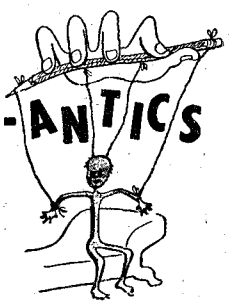

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Guide to Maturity

THE APPETITE of the American public for psychological self-help books appears to be inexhaustible. One after another

The Mind Alive, by Harry and Bonaro Overstreet (Norton, $3.75).

they roar from the presses, and unfailingly, so far as one can judge, each finds a public. The top book on the nonfiction best-seller list is now, and has been for many months, of this character, and numerous predecessors have in the past achieved a similar eminence.

I believe that this is almost solely an American phenomenon; it would be interesting to know whether we have more anxiety-ridden neurotics, seeking ways to personal peace, than do other countries—or whether our neurotics have more money and more optimism about the possibility of curing yourself with a book. It would also be interesting to know what proportion of the millions who buy such volumes get as much benefit as they expected, or any discernible benefit at all. For that matter, we might ask whether any individual whose free-floating anxiety is severe enough to send him to the bookstore is sufficiently ill to require the help of a physician. Most psychiatrists (who to be sure have a vested interest to be served) believe that few neurotics can get substantial relief without professional aid.

The foregoing remarks are not meant to cast reflection on the worthy authors of these books, and least of all, upon Mr. and Mrs. Overstreet, who are among the very best working in this field. They have the advantage of a sound professional background, a commonsense point of view, and a lively writing style. Their new book contains the familiar discussion of how to achieve maturity and balance, plus some interesting observations that go outside the pattern of the individual's problems. One of these is an intelligent comment on what the Nazis had in mind when they planned the tortures in the concentration camps: these were not mere meaningless sadism, but a deliberate and skillful attempt to destroy the mature personality in many thousands of their actual or potential enemies, causing these victims to turn permanently toward infantile attitudes.

The last third of the book represents a perhaps tangential discussion of how liberals can keep their balance in an age of intolerance and hysteria; ironically, a few months before this book was published, but, I believe, after it had been written, the anti-Communist Overstreets themselves underwent the painful experience of being publicly attacked as "Reds" in a Southwestern city where they were scheduled to lecture. Not only at the personal level but at the social one, their book contains plenty of wisdom, attractively presented, both for those who feel they need psychological guidance and for those (if any such exist) who don't. BRUCE BLIVEN

Notes on the Critics

JOHN H. HERZ *teaches in the Department of Government at the College of the City of New York.* LESLIE A. FIEDLER, *who has just returned from two years of study in Europe, is on the faculty of the University of Montana.* ROBERT E. OSGOOD *is on the staff of the University of Chicago's Center for the Study of American Foreign Policy.*

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CORRESPONDENCE

► Sex, Politics and All

The complementary evils of intimidation and oppressive censorship have strikingly appeared in connection with a production, on a recent evening in New York, of Aristophanes' *Ecclesiazusae*, in the Great Hall of Cooper Union. the celebrated scene of Lincoln's most crucial address. The play was given under the auspices of the Cooper Union Forum, acted by advanced students of the American Academy of Dramatic Arts.

During the production period, nine members of the cast resigned on the ground that they feared to appear in a play that might possibly be called Communistic by an investigating committee. The Academy attempted to dissuade the deserters and assure them that Aristophanes was not a Communist, but to no avail.

This timidity of youth, however, was most surprisingly surpassed by the timidity and sophistry of the Board of the American Academy of Dramatic Arts. The president of this board is Lawrence Langer, whose services to the American theatre have been surpassed by few. Nevertheless, the board censored the play and provided a most curious apology for so doing. The defense of their action as reported in the *New York Times*, was that the lines were, according to the word used in the apology, "dirty." Mr. Langner strenuously denied any thought of political censorship. The apology further added that certain lines were deleted as "repetitious" and "dull." One wonders what reckless bravery could cause anyone of intelligence to call Aristophanes repetitious or dull! A score of deleted lines as quoted in the *Times* were wholly political.

It is ominous that young people should desert attractive professional engagements purely from political fears; it is more ominous that responsible critics and intellectual leaders rightly held in high repute should endanger their integrity twice over—once by censoring a great artist on purely political grounds and once again by explanations sophistical and not impossibly imperceptive.

We should take our Aristophanes straight, sex, politics and all, and, if we do not, at least admit why we act obliquely. The courage of the crowd generally springs from that of its leaders. When the neophytes and the public surrender, it is usually because their leaders have taught them the habit of surrender.

HENRY W. WELLS

New York City

► Ondine

Readers have been confused by two statements in my review of *Ondine* (*NR*, March 1, 1954). I tried to say that the cast, *with* (not without) a single exception, seemed to take their cue from Mr. Mel Ferrer; also that Miss Hepburn has a weak *r* (not that her consonants are both "weak and overemphatic")!

ERIC BENTLEY

New York City

► McCarthy and the Military

What's with this country when McCarthy can with impunity badger ministers, authors and intellectuals, but let him attack a General of the Army and every citizen is aroused to anger and the wrath descends.

J. F. WEATHERLY

Auburndale, Mass.

. . .

I hope Senator McCarthy will be stopped before he writes *Finis* to our 178 years experiment of freedom. Mr. Stevens can still rectify his mistake.

MICHAEL KLEIN

Brooklyn, N. Y.

. . .

Like TRB I forgave Eisenhower his naïveté, but the Stevens incident compels me to associate him with the conspiracy.

D. R. NICKERSON

Butte, Mont.

BANDWAGON

A meeting to . . . preserve segregation and prevent "mongrelization" was called last month in Phoenix City, Ala.

About 20 people showed up.

A television cameraman was slugged and kicked for taking a picture at the gathering.

Then the chairman went on with his address: "We are law-abiding people and want to uphold the law. . . ." – *The Southern Patriot, February, 1954.*

"Most exciting thing about the trip, said Evelyn (Ziegelman), was having Marilyn Monroe, Joe DiMaggio and Frank (Lefty) O'Doul aboard the plane to Honolulu.

"Marilyn, just a sweet, naïve little girl, put makeup on in layers. She did it all so methodically, spending most of the time on her eyes. She had three different shades of pencil, using first one, then another. When she finished, after two hours, she was still just a sweet, simple American girl." – *Oregon Journal (Portland), February 10, 1954.*

One Washington embassy, the *N. Y. Times* reported, had a quick answer when asked by phone to provide a speaker for the Daughters of the American Revolution. It said it couldn't become identified with any revolutionary group." – *Tempo News Weekly, March 1, 1954.*

A transformed juke box was put into operation at opening of lenten services at the Austin Westminister Presbyterian Church last night. . . . From the control box in chapel, members may dial their choice of 24 favorites. – *Washington Star, March 4, 1954.*

Enugu, Nigeria — The lone woman member of Nigeria's Eastern Assembly today demanded government controls to halt a wild inflation in the price of local natives pay for their brides. Mrs. Margaret Euko said the skyrocketing cost is pricing husband right out of the market. – *Washington Post, March 4, 1945.*

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May We Present
the New Republic's *nomination for the Man of the Year?*
Mr. Charles Bulger of Akron, Ohio!

All we know about Mr. Bulger is what we read in a letter he sent last week:

"A hasty glance at my bank-balance for the month leads me to believe that I have failed to spend more than I received. This is a condition intolerable to a confirmed believer in the validity of the economic theory of the unbalanced budget. I hasten to adjust the matter by an additional contribution to the fund to keep the *New Republic* going."

We had never thought of translating Keynes or Keyserling theories of unbalanced budgets into as personal terms as Mr. Bulger's; but then in 40 years of publication we had never thought of asking the American people for more than the price of a subscription. It wasn't necessary. Now it is.

Old friends of the *New Republic* will testify that we are not in the habit of hiding the truth from our readers; so, when the *NR* lost last year the private subsidy which for so long had helped to keep it going, we said so and pointed out that: if this Journal of Opinion is to continue its independent reports and appraisals, those who appreciate its importance to a free press must give it a hand.

Hundreds *have* given us a hand in the past few weeks; consequently our income has gone up; and our confidence in the future has gone up even more. $50,000 will put us solidly on our feet. There are, we are now persuaded, at least 5,000 Americans willing and able to contribute $10 for the maintenance of a free, vigorous press. Some can do more, some less. We think the goal can be reached.

May we have *your* vote of confidence?

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